REMARKS

Claims 1-15 are pending in the application, of which claims 1 and 13-15 are independent. Claims 1 and 13-15 have been amended. No new matter is presented. Reconsideration and further examination are respectfully requested. In response to the finality of the Office Action, Applicant is submitting herewith a Request for Continued Examination.

Claims 1, 2, 6-8 and 10-15 were rejected under 35 U.S.C. § 102(e) as being taught by U.S. Patent No. 6,662,194 (Joao). Claims 3-5 were rejected under 35 § U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,968,513 (Rinebold). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,868,389 (Wilkins). Reconsideration and withdrawal of the rejections are respectfully requested for at least the following reasons.

According to the method recited in claim 1, inquiry data is received, the inquiry data is related to an inquiry of a user with a listing service about a listing posted by an entity other than the user. A user's lead is created in response to the user's inquiry using the received inquiry data, the user's lead is to be pursued by the user that makes the inquiry with the listing service. The user's lead is stored as a lead record in a database. An action to be taken in furtherance of the user's lead is identified. Using information from the lead record, an action record is created each time an action to be taken in furtherance of the user's lead is identified, and the action record is stored in the database. The lead and action records comprise information to provide the user with a status of the user's lead. A user interface is communicated to the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services.

Joao is understood to disclose an apparatus and method for providing job searching services, recruitment services and/or recruitment-related services for respective individuals, employees, independent contractors, freelancers, employers and/or hiring entities. Joao fails to teach, suggest or disclose identifying an action to be taken in furtherance of the user's lead, creating an action record using information from the user's lead each time an action to be taken in furtherance of the user's lead is identified, and storing the action record in the database, as claimed in amended independent claim 1. Joao provides job searching services, recruitment services and/or recruitment-related services.

The Office Action refers to Joao's col. 24, lines 39-49 and states:

a submission of a counteroffer may be seen as an action (that is recorded, or stored by the system) to be taken in furtherance of the offer (lead). Put another way, a counteroffer which is an action to be taken in furtherance of an individual's lead (i.e. to further an offer of employment to reach a deal or rejection) is stored under Joao's monitoring system. (Office Action, Page 14).

Applicant respectfully disagrees. Joao does not disclose identifying an action to be taken in furtherance of the user's lead or creating an action record each time an action to be taken in furtherance of the user's lead is identified, as claimed in independent claim 1. Even if Joao's counteroffer is considered an action (which is in no way conceded since a counteroffer is not an action to be taken but rather an action taken by the entity making the counteroffer), Applicant respectfully submits that Joao does not disclose identifying an action to be taken in furtherance of the user's lead or creating an action record each time an action to be taken in furtherance of a user's lead is identified.

To provide several non-limiting examples to further illustrate the claimed subject matter, Applicant's Specification states, in part:

> Using the information stored in the lead record, the tracking system is capable of performing various functions to help the user track one or more leads. For example, if the user receives a lead related e-mail, the tracking system can be set to monitor the user's incoming e-mails to detect lead related e-mails. Using text analysis tools, such as keyword/key-phrase and/or an address recognition method, the tracking system identifies e-mails related to stored lead records, in step 108, and generates an action record using information in the lead related e-mail. The tracking system may be further programmed to notify the user of the e-mail, and may forward the all or a portion of the e-mail to a designated user device, such as the user's personal digital assistant (PDA). After creation of the action record, a user is given an opportunity to access the action record, in step 110, and supplement or edit the action record as necessary, in step 112. The updated action record is then stored on the leads database. (Specification, Paragraph [0032]).

> The tracking system 10 may utilize keyword/key-phrase detection to identify e-mails relevant to a particular lead. In such a system, the e-mail system 30 would permit a message detection module 82 of the tracking system 10 to access the address, subject, and body text from e-mails received into the user's e-mail account. The detection module 80 would use keywords/key-phrases from the user's lead records, such as the employer name, job type, job id, employer contact name, and the like, to determine whether the e-mail is likely to be relevant to a particular lead record. If it is, then the detection module 80 adds an indication to the lead record which will be displayed to the user the next time the user logs in to their tracking system account. The indication or

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> e-mail itself may also be forwarded to any of the user's computing devices 50
> by the alert system 34, as described in greater detail above. For instance, an
> indication that an e-mail has been received may be forwarded to the user's
> wireless phone or PDA or handheld device. (Specification, Paragraph [0068]).

Applicant respectfully submits that Joao does not disclose identifying an action to be taken in furtherance of the user's lead and does not disclose creating an action record each time an action to be taken in furtherance of the user's lead is identified, as claimed in independent claim 1. There is no identification of an action that is to be taken in furtherance of a user's lead in Joao. Joao describes that its computer 10 can "record and/or store any and/or all data and/or information regarding and/or pertinent to the search and/or the corresponding results, including … any information concerning offers, counteroffers, rejected offers and/or rejected counteroffers." (Joao, col. 24, lines 40-48). Joao does not, however, disclose identifying an action to be taken in furtherance of the user's lead or creating a specific action record each time an action to be taken in furtherance of the user's lead is identified. Joao does not identify an action to be taken in furtherance of the user's lead.

Independent claim 1 also recites, in part, communicating a user interface accessible by the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services. Several non-limiting examples of the user interface that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services are shown in Figs. 9 and 10 of Applicant's Specification.

Joao does not disclose this feature. The Office Action states that Joao discloses communicating a user interface in drawing reference 20E as well as col. 11, lines 45-53 and col. 14, lines 59-60. Drawing reference 20E of Joao is a display device. Col. 11, lines 45-53 of Joao disclose an individual and employee, and col. 14, lines 59-60 of Joao disclose that Joao facilitates more efficient access to data and/or information pertaining to an individual. These passages and drawing block of Joao do not, however, disclose communicating a user interface accessible by the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services, as claimed in independent claim 1. The Office Action also refers to col. 24, lines 50-51, which states that the data stored in Joao's database can be later used or referenced by an individual, etc. Applicant

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respectfully submits that data being stored in a database that can be later used or referenced by someone is not the same as a user interface being communicated, where the user interface comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services.

As a result, independent claim 1, and the claims that depend from independent claim 1, are allowable over Joao, either alone or in combination with any other art of record. Further, independent claims 13-15 are also allowable over Joao, alone or in combination with any other art of record, for the reasons presented above.

Claims 3-5 were rejected under 35 § U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,968,513 (Rinebold). Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Joao in view of U.S. Patent No. 6,868,389 (Wilkins). Rinebold and Wilkins each fail to teach, suggest or disclose at least the same elements not taught, suggested or disclosed by Joao.

Rinebold discloses an online interactive system comprising a business referral and income generation system linked to one or more listed web sites of businesses in a particular locality or geographical area. Wilkins describes the identification of individuals that are financially capable of making, or ready to make, a purchase for direct sales and marketing organization as "intender leads." Wilkins focuses on leads for direct sales and marketing organizations.

Neither Rinebold nor Wilkins teaches, suggests or discloses creating an action record using information from the user's lead each time an action to be taken in furtherance of the user's lead is identified, and storing the action record in the database, as claimed in amended independent claim 1. Further, neither Rinebold nor Wilkins teaches, suggests or discloses communicating a user interface accessible by the user that comprises information from the lead and action records and information related to the user's lead received from one or more ancillary services, as claimed in amended independent claim 1.

As a result, Joao, alone or in combination with Rinebold and alone or in combination with Wilkins, cannot form the basis of a proper § 103(a) rejection.

For at least the foregoing reasons, claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance. In addition, for at least the same reasons, claims 13-15 are believed to be in condition for allowance. In view of the foregoing, the entire application is

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believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should matters remain which the Examiner believes could be resolved in an interview, the Examiner is requested to telephone the Applicant's representative. The Applicants' attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

Respectfully submitted,

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